

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

THOMAS VIVIANO,

Plaintiff,

v.

HAZLETON AREA SCHOOL DISTRICT,  
et al.,

Defendants.

CIVIL ACTION NO. 3:14-CV-01018

(MEHALCHICK, M.J.)

**ORDER**

AND NOW, on this 19<sup>th</sup> day of August, 2016, for the reasons set forth in the Memorandum filed concurrently with this Order, **IT IS HEREBY ORDERED THAT** Defendants' motion for summary judgment ([Doc. 33](#)), is **GRANTED** and Defendants' motion to strike Plaintiff's declaration ([Doc. 40](#)), is **DENIED AS MOOT**. The Clerk is directed to **CLOSE** the above-captioned case.

**Dated: August 19, 2016**

*s/ Karoline Mehalchick*

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**KAROLINE MEHALCHICK  
United States Magistrate Judge**